

**Notice of Allowability****Application No.**

10/583,603

**Applicant(s)**

ENGLERT ET AL.

**Examiner**

CHRISTOPHER S. MCCARTHY

**Art Unit**

2113

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/17/08.
2. ☒ The allowed claim(s) is/are 1-11.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 6/20/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 9/25/08
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_.

## **DETAILED ACTION**

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Norman N. Kunitz, Reg. # 20,286 on 9/25/08.

The application has been amended as follows:

Please replace claim with the following:

1. A method of reading messages which are sent over a data bus in a motor vehicle between electronic units, comprising:

- providing at least one communications network based on at least one data bus to which several electronic units are connected by means of a bus interface,

- ~~at least one data interface for~~ connecting the communications network with an external data processing unit by at least one data interface,

- ~~at least one cyclically overwritable, volatile storing means~~ for the storing of messages which were sent in the communications network in at least one cyclically overwritable, volatile storing means,

- ~~examining at least one monitoring unit having an executable program which examines~~ the messages stored in the volatile storing means for selected, parameterizable attributes with at least one monitoring unit having an executable program,

- upon the occurrence of at least one definable trigger event, whose occurrence is monitored by the executable program, ~~and upon whose occurrence~~ stopping the cyclical overwriting of the volatile storing means ~~is stopped~~ for at least as long until the data content of the volatile storing means is transferred to a second, non-volatile storing means.

Please replace claim 4 with the following:

4. The method as defined in claim 1, ~~wherein~~ including reading the data content of the non-volatile storing means is, upon request by an external electronic data processing device, ~~read thereinto~~ the external electronic data processing device over the data interface of the communications network.

Please replace claim 5 with the following:

5. The method as defined in claim 1, ~~wherein~~ including forming the trigger event ~~is formed~~ from a logic or time-related concatenation of the parameterizable attributes.

Please replace claim 9 with the following:

9. The method as defined in claim 1, ~~wherein~~ including defining and monitoring several trigger events ~~are defined and monitored~~.

Please replace claim 10 with the following:

10. The method as defined in claim 1, ~~wherein~~ including after occurrence of a trigger event, effecting a notification to an external data processing device concerning the occurrence of the event ~~is effected~~.

Please replace claim 11 with the following:

11. The method as defined in claim 10, ~~wherein~~ including reading the data content of the non-volatile storing means is, after sending the notification, read into an external electronic data processing device at the request thereof.

2. The following is an examiner's statement of reasons for allowance: When read as a whole, claim 1 is allowable with respect to the following:

3. The primary reason for allowance is the combination of the limitations of A method of reading messages which are sent over a data bus in a motor vehicle between electronic units, comprising upon the occurrence of at least one definable trigger event, whose occurrence is monitored by the executable program, stopping the cyclical overwriting of the volatile storing means for at least as long until the data content of the volatile storing means is transferred to a second, non-volatile storing means.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Response to Arguments***

4. Applicant's arguments, see Remarks, filed 6/17/08, with respect to claim 1 have been fully considered and are persuasive. The rejection of claim 1 has been withdrawn.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTOPHER S. MCCARTHY whose telephone number is (571)272-3651. The examiner can normally be reached on M-F, 9 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on (571)272-3645. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christopher S. McCarthy/  
Primary Examiner, Art Unit 2113